

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

COALITION TO MARCH ON THE RNC,

Plaintiff,

v.

Case No. 24-CV-704

CITY OF MILWAUKEE,
CAVALIER JOHNSON in his official capacity
as Mayor of the City of Milwaukee, and
JERREL KRUSCHKE in his official capacity as
Commissioner of Public Works for the City of Milwaukee,

Defendants.

JOINT STIPULATION OF FACTS

Plaintiff, Coalition to March on the RNC, and Defendants, City of Milwaukee and Cavalier Johnson, in his official capacity as Mayor of the City of Milwaukee, and Jerrel Kruschke, in his official capacity as Commissioner of Public Works for the City of Milwaukee (collectively herein, “City Defendants”), by and through their undersigned counsel, propose the following undisputed facts for purposes of the Court’s July 3, 2024 hearing on Plaintiff’s Motion for a Preliminary Injunction against the City Defendants.

I. GENERAL BACKGROUND/PARTIES

1. The Plaintiff Coalition to March on the RNC is an unincorporated association of individuals from a broad range of local, national, and grassroots, community, and labor organizations who have come together to hold a protest parade and march; as of the date this suit was filed, more than six dozen organizations had joined the Coalition. Predecessor organizations to the Coalition have organized

demonstration marches around prior national conventions in different parts of the United States, including Marches on the Republican National Conventions in 2008, 2012, and 2016. (Am. Compl. ¶ 13).

2. The Defendant City of Milwaukee is an incorporated municipality and political subdivision of the State of Wisconsin.
3. Defendant Cavalier Johnson is the duly elected mayor of the City of Milwaukee. (Am. Compl. ¶ 14)
5. Defendant Jerrell Kruschke is the Commissioner of Public Works for the City of Milwaukee. (Kruschke Decl. ¶ 2).
6. Pere Marquette Park, Zeidler Union Square Park and Red Arrow Park are Milwaukee County properties. (DeSiato Decl. ¶ 15; *see also* ECF No. 33 at 16, ¶ 60).
7. The City of Milwaukee has obtained a permit to use Zeidler Union Square Park during the Republican National Convention (“RNC”). (DeSiato Decl. ¶ 15).

II. THE 2024 RNC CONVENTION

8. The Secretary of Homeland Security designated the Republican National Convention as a recurring National Special Security Event on September 24, 2018. (Gibson Cucchino Decl. ¶ 9).
9. The national Republican party announced that it would hold the 2024 Republican National Convention (“RNC”) in Milwaukee on August 5, 2022. (ECF No. 33 at 5, § 15).
10. The RNC will be held in Milwaukee from July 15-18, 2024. (Gibson Cucchino Decl. ¶ 4).

11. The Secret Service is charged with planning, coordinating and implementing security operations at special events of national significance, including the RNC, pursuant to 18 U.S.C. § 3056(e)(1). (Gibson Cucchino Decl. ¶¶ 8-9; ECF No. 33 at 14, § 46).
12. The Secret Service is the lead federal agency responsible for designing, planning and implementing security measures for the RNC. (Gibson Cucchino Decl. ¶ 9, 12; ECF No. 33 at 14, ¶ 46).
13. Political leaders, including Secret Service protectees, will attend the RNC. (Gibson Cucchino Decl. ¶ 5).
14. The Secret Service anticipates six to eight thousand delegates will attend convention events at the Convention Venues and other locations in Milwaukee during the RNC. (Gibson Cucchino Decl. ¶ 6).
15. Attendees may also include the Republican party's major campaign contributors and lobbyists. (Am. Compl. ¶ *).
16. Delegates will be housed at more than 110 hotels in the area. (Gibson Cucchino Decl. ¶ 6).
17. The Committee on Arrangements decides what convention events will occur, and when and where. (Gibson Cucchino Decl. ¶ 14).
18. RNC events will be held at Fiserv Forum, the Baird Center, UW-Milwaukee Panther Arena, Miller High Life Theatre (the "Convention Venues."). (Gibson Cucchino Decl. ¶ 4).
19. The Convention Venues are privately owned facilities.

20. The Convention Venues are located in downtown Milwaukee adjacent to high density commercial and residential areas. (Gibson Cucchino Decl. ¶¶ 26-28).
21. Interstates 94, 794, and 43 interchange approximately 2,000 feet northwest of the Fiserv Forum (**)
22. The Convention Venues are located within an area one to two city blocks wide and five blocks tall, bounded by Juneau Avenue on the north and Wisconsin Avenue on the south (collectively, the “Convention Site”). (Kruschke Decl. ¶ 11, Ex. 5).
23. The Fiserv Forum is sited south of Juneau Avenue and east of 6th Street. (Kruschke Decl. ¶ 11, Ex. 5). Miller High Life Theatre and Panther Arena lie one block south of Fiserv Forum, between State Street and Kilbourn Avenue. (Kruschke Decl. ¶ 11, Ex. 5). The Milwaukee County Historical Society is one block due east of Panther Arena. (Kruschke Decl. ¶ 11, Ex. 5). The Baird Center sits another block further south of Panther Arena and the theatre. (Kruschke Decl. ¶ 11, Ex. 5).
24. The Convention site is oriented from north-to-south, with major points of ingress and egress located on cross-streets running east-and-west, particularly along its eastern perimeter, except for highway access to the west via McKinley Avenue.
25. The Milwaukee River flows north-to-south to the east of Fiserv, heading east away from the convention sites between the State Street bridge and the Wisconsin Avenue bridge. The river serves as a natural eastern boundary near the top of the Convention site; a physical barrier will delineate the eastern hard perimeter below State Street.

26. The North Public Viewing Area abuts the secure perimeter on the north side of McKinley Avenue. A speaker's platform will face west on MLK Drive.
27. The Milwaukee Police Department ("MPD") has worked closely with the Secret Service to develop the RNC security plan over many months. (Gauerke Decl. ¶¶ 4-6).
28. The City has or will execute separate contracts with approximately 80 political subdivisions within the state, and has or will contract with the State for other states' law enforcement personnel and for National Guard service members to temporarily supplement its force during the RNC. (Gauerke Decl. ¶¶ 9-10).
29. As many as 4,500 police officers from agencies outside of Milwaukee could be required to staff the RNC. (ECF No. 33 at 13, ¶ 43; *see also* <https://www.jsonline.com/story/news/politics/2023/04/13/milwaukee-rnc-could-include-as-many-as-4500-outside-police-officers/70081387007/>).
30. The City estimated 3,000 additional officers from outside agencies would be needed to host the 2020 Democratic National Convention ("DNC"). *See* <https://www.jsonline.com/story/news/politics/2023/04/13/milwaukee-rnc-could-include-as-many-as-4500-outside-police-officers/70081387007/>.
31. The 2020 DNC became a virtual convention with no speakers, including the nominee, appearing in Milwaukee. *See* <https://www.jsonline.com/story/news/politics/elections/2020/08/08/democrats-kept-adjusting-convention-but-end-had-go-virtual/3322043001/>.

32. The RNC presents a significant opportunity for individuals and organizations to participate in the democratic process through the exercise of their rights of free speech and assembly. (Am. Compl. ¶ 1).
33. The Convention thus provides an opportunity for groups and individuals to voice their opinions to the leaders and decision-makers of the Republican Party, to national and international media, and to people across the country and around the world who will watch Convention coverage. (Am. Compl. ¶ 1)
34. The City of Milwaukee has been planning for the RNC since 2022. (Am. Compl. ¶ 17)
35. More than 50,000 delegates, staff, visitors, press, and law enforcement personnel are expected to attend the RNC. (Am. Compl. ¶ 16).
36. Congress designated \$75 million for the City of Milwaukee to cover its costs on security measures. (Am. Compl. ¶ 43).

III. CITY ORDINANCES

51. The City of Milwaukee generally regulates special event permits under Milwaukee Code of Ordinances (“MCO”) § 105-55.5. (ECF No. 28, Ex. 1).
52. MCO § 105-55.5 defines “Special event” is defined as “any planned extraordinary, temporary use of the public right-of-way or public premises, including sidewalks, streets, alleys, designated parking spaces and loading zones, or any other public space under the jurisdiction of the department of public works for ... a parade, procession, demonstration, race or festival.” (ECF No. 28, Ex. 1 at 3, § 1(f)).

53. “Demonstrations to indicate approval or disapproval of government policies and practices, expressing views on public issues, and/or bringing into public notice any issue or other matter” are considered “Class D events” under MCO § 105.55-5. (ECF No. 28, Ex. 1 at 3, § 1(e)).
54. The Commissioner of Public Works may deny applications under MCO § 105.55-5 for several specified reasons, including:
- a. “The special event is of such a size or nature requiring the diversion of so great a number of police officers, ambulances or other emergency vehicles as to deny reasonable emergency services to the city as a whole.” (ECF No. 28, Ex. 1 at 4, § 2(c-1)).
 - b. “The time, route, size and nature of the special event will unreasonably disrupt the safe and orderly use of any street or any public place ... or substantially interrupt the safe and orderly movement of other traffic.” (ECF No. 28, Ex. 1 at 4, § 2(c-2)).
 - c. “The special event will interfere or conflict with another special event for which a permit has already been issued, or with a construction or public works project.” (ECF No. 28, Ex. 1 at 4, § 2(c-4)).
 - d. “The conduct of the special event will be contrary to law, including noise regulations.” (ECF No. 28, Ex. 1 at 4, § 2(c-5)).
 - e. “The applicant is legally incompetent to contract or to be sued.” (ECF No. 28, Ex. 1 at 4, § 2(c-9)).
55. Appeals of denial under MCO § 105-55.5 are governed by Section 2-d. (ECF No. 28, Ex. 1 at 4, § 2(d)).

56. On March 19, 2024, the City of Milwaukee adopted Milwaukee Common Council File No. 231740, an ordinance relating to the extraordinary event of the Republican National Convention (the “Special Event Ordinance,” or the “Ordinance”). (ECF No. 4, Ex. 1; *see also* ECF 33, ¶ 27).
57. The Special Event Ordinance was effective April 6, 2024. (ECF No. 4, Ex. 1).
58. It provides that “[r]egistrations for the use of public streets and public property during the 2024 Republican National Convention inside the preliminary security footprint may be granted only in accordance with this extraordinary event ordinance,” and directs City Officials to “suspend the granting of special event permits as indicated in section 12.” (ECF No. 4 Ex. 1 at 2, §§ 1(c) and (d)).
59. Section 12 provides that the City of Milwaukee “cannot accommodate parades or other special events on city streets inside the preliminary security footprint, other than ... the official parade route and official speaker’s platform.” (ECF No. 4, Ex. 1 at 5; *see also* ECF No. 33, ¶ 35).
60. The Ordinance applies only during the convention period and only within the preliminary security footprint. All other special events at other times or locations are subject to MCO § 105.55-5. (ECF No. 4, Ex. 1 at 5, § 12),
61. The “convention period” is defined as “12:01 a.m. central daylight time on Saturday, July 13, 2024, and extending until 12:01 a.m. central daylight time on Saturday, July 20, 2024, or as further required for the completion of the ... nominating process.” (ECF No. 4, Ex. 1 at 2, § 2(d)).
62. The Ordinance defines a “parade” as “any formation, march, or procession of any kind traveling in unison for a common purpose upon the streets, excluding

sidewalks, within the city that interferes with the normal flow or regulation of vehicular or pedestrian traffic upon the streets within the city.” (ECF No. 4, Ex. 1 at 2, § 2(i); *see also* ECF No. 70).

63. The “preliminary security footprint” is defined by reference to a map identifying its approximate bounds as Cherry Street on the north, running along Water Street on the east, Clybourn Street on the south, and 9th Street on the west. (ECF No. 4-2).
64. The “security footprint” is separately defined as “the area designated by the United States Secret Service as requiring limited pedestrian or vehicle access associated with the convention.” (ECF No. 4-2 at 3, § 2(n)).
65. The “Credentialed zone” means the area in the security footprint to which access is restricted ... to authorized and credentialed persons consistent with the National Special Security Event designation pursuant to 18 U.S.C. § 3056(e)(1).” (ECF No. 4-2 at 2, § 2(e)).
66. Violations of the Ordinance are subject to a fine of up to \$500 and imprisonment if not paid. (ECF No. 4-2 at 2, § 1(f); *see also* ECF No. 33, ¶ 34).
67. The Ordinance may be violated in specified ways, including:
 - a. Being inside the credentialed zone ... without credentials (ECF No. 4-2 at 3, § 3);
 - b. Interfering with, engaging in or conducting a parade on the official parade route with being registered (ECF No. 4-2 at 3, § 4);
 - c. Using an official speaker’s platform without first registering to do so (ECF No. 4-2 at 3, § 4);

- d. Use of a motorized vehicle or bicycle in a parade (ECF No. 4-2 at 4, § 7(d));
 - e. Failing to clear the official parade route upon completion of the procession or at the end of the designated time slot for the parade (ECF No. 4-2 at 4, § 7(f)).
 - f. Use of one's own microphone or sound amplification equipment at the official speaker's platform (ECF No. 4-2 at 4, § 8(b)).
68. The Ordinance also provides that “[a] person or group of pedestrians may stand, loiter or travel upon the streets in the security footprint only if their presence does not interfere with vehicular traffic, consistent with s. 101-1-2 of the [Milwaukee] Code of Ordinances, which adopts s. 346.29(2), Wis. Stats.” (ECF No. 4-2 at 4, § 11).

IV. RNC SECURITY PLANS

A. The “Secure Perimeter,” also Referred to as the “Pedestrian Restricted Perimeter”

69. The “secure perimeter,” or “pedestrian restricted perimeter,” will be closed to vehicles and pedestrians, and will be delineated by a non-opaque security fencing and other barriers. (Gibson Cucchino Decl. ¶ 16).
70. Only persons with a credential or event ticket will be permitted to enter the secure perimeter. (Gibson Cucchino Decl. ¶ 16).
71. This zone encompasses all of the Convention Venues and their immediate proximity. (ECF No. 33 at 15, ¶ 50 and Ex. 2)
72. The secure perimeter or pedestrian restricted perimeter, a/k/a “credentialed zone,” extends across the parade route originally proposed by the Coalition at several points. (ECF No. 33 at 15, ¶ 52).

73. Entry into the secure perimeter will be permitted only at designated access points. (Gibson Cucchino Decl. ¶ 17).
74. Prior to entry, persons with credentials or event tickets will be required to pass through a magnetometer or similar screening. (Gibson Cucchino Decl. ¶ 16).
75. The secure perimeter north of Fiserv Forum will be delineated by a fence line along the north side of McKinley Avenue from MLK Drive¹ to Fond du Lac Avenue (a/k/a Highway 145). (Gibson Cucchino Decl. ¶¶ 16, 24).
76. The southern border of the secure perimeter mostly falls along Wisconsin Avenue. (Kruschke Decl. ¶ 11, Ex. 5).
77. Maritime restrictions will be in place on the Milwaukee River during the RNC. (Kruschke Decl. ¶ 11, Ex. 5).
78. The secure perimeter extends east across the Milwaukee River at Knapp Street at the “top” of the Convention site. (Kruschke Decl. ¶ 11, Ex. 5).
79. The eastern border of the secure perimeter lies further west toward the “bottom” of the Convention Site, excepting the area immediately adjacent to the Milwaukee County Historical Society/Pere Marquette Park. (Kruschke Decl. ¶ 11, Ex. 5).
80. Pedestrian and vehicle access points into/out of the secure perimeter along will lie on cross streets extending along MLK Drive. (Kruschke Decl. ¶ 11, Ex. 5).

B. The “Vehicle Screening Perimeter”

81. Surrounding the pedestrian restricted perimeter is the vehicle screening zone. (Gibson Cucchino Decl. ¶ 20).
82. The vehicle screening area encompasses a larger area than the secure perimeter (i.e. the pedestrian restricted perimeter). (Gibson Cucchino Decl. ¶ 20).

¹ A portion of MLK Drive used to be known as “Old World 3rd Street” and is still identified as such on certain maps.

83. Pedestrians may enter and exit the vehicle screening zone without screening.
(Gibson Cucchino Decl. ¶ 20).
84. Drivers may access the vehicle screening zone without a credential or event ticket.
(Gibson Cucchino Decl. ¶ 20).
85. Vehicles will only be permitted to enter the vehicle screening zone via designated vehicle screening points. (Gibson Cucchino ¶ 20).
86. Designated vehicle screening points will be located so as to enable traffic to access the secure perimeter from multiple directions. (Gibson Cucchino Decl. ¶ 20).
87. Security planners anticipate that cars will line up to wait at vehicle screening points because the screening process takes several minutes to complete. (Gibson Cucchino Decl. ¶ 20).

C. Transportation Plans

91. Delegates will be transported to the Convention Venues via a large number of secure buses. (Gibson Cucchino Decl. ¶ 18).
92. Two gravel lots north of the Fiserv Forum, between Juneau Avenue and McKinley Avenue, will serve as the bus depot during the RNC. (Gibson Cucchino Decl. ¶ 18).
93. Buses will enter the secure perimeter via Fond du Lac Avenue, a/k/a Highway 145, from the west. (Gibson Cucchino Decl. ¶ 24).
94. Buses will enter the secure perimeter via Knapp Street from the east. (Gibson Cucchino Decl. ¶ 24).
95. Delegates arriving by bus will proceed to screening locations on Juneau Avenue.
(Gibson Cucchino Decl. ¶ 17).

96. Delegates may opt to approach the Convention Venues on foot, or via taxi or rideshare from their hotels or other locations in the city. (Gibson Cucchino Decl. ¶¶ 6, 17).
97. Emergency vehicles accessing the secure perimeter from the east must cross Dr. Martin Luther King Jr. Drive (“MLK Drive”). (Gibson Cucchino Decl. ¶ Decl. 27, Gauerke Decl. ¶ 12).

D. Public Announcements

107. The Secret Service and City Officials publicly announced the RNC security plan at a press conference held on Friday, June 21, 2024. (DeSiato Decl. ¶ 12; ECF No. 33 at 15, § 50).
108. The Pedestrian Restricted (Secure) Perimeter and Vehicle Screening Perimeter as established by the Secret Service are reflected in a map prepared by the U.S. Department of Homeland Security. (ECF No. 33, Ex. 2).
109. The map also reflects when restrictions will go into effect, and shows the locations of vehicle screening points. (ECF No. 33, Ex. 2).
110. The City announced plans to provide two speakers podiums with adjacent public viewing areas for listeners and demonstrators, as well as an official parade route. (DeSiato Decl. ¶ 12; *see also* ECF No. 33 at 16, ¶ 55).
111. One official speaker’s platform will be located on the north side of the Convention Venues on MLK Drive, near McKinley Avenue. (ECF No. 27, Ex. 3).
112. A stage with a microphone and speakers will be provided by the City in MLK Drive, next to Haymarket Square Park. (ECF No. 27, Ex. 3).

113. This location (the “North Viewing Area”) is directly adjacent to the secure perimeter fence-line, near the delegate bus depot, within sight of the Fiserv Forum and the Deer District Plaza. (DeSiato Decl. ¶ 13; ECF No. 27, Ex. 3).
114. Delegates arriving by bus will line up for screening on Juneau Avenue before proceeding to the Convention Venues. (Gibson Cucchino Decl. ¶ 17).
115. MLK Drive and McKinley Avenue will be closed to vehicle traffic between Vliet Street and McKinley Street. (DeSiato Decl. ¶ 13; ECF No. 27, Ex. 3).
116. Official speaker’s platform time slots will be assigned in 30 minute increments (20 minutes of speaking) between 11 a.m. and 7 p.m. during the RNC. (DeSiato Decl. ¶ 13; ECF No. 27, Ex. 3).
117. The Official Parade Route announced by the City begins on the east side of Zeidler Union Square Park and travels east on Michigan Avenue, then north on 2nd Street, east on Wisconsin Avenue, south on Plankinton Avenue, west on Clybourn Street, then north on 5th Street, before crossing near Vel R. Phillips Plaza along the southern fence-line of the secure perimeter, and concluding on the west side of Zeidler park. (DeSiato Decl. ¶ 16; ECF No. 27, Ex. 3).
118. Start times on the Official Parade Route will be staggered approximately 20 minutes apart between 11 a.m. and 7 p.m. during the RNC. (ECF No. 27, Ex. 3).
119. The Official Parade Route approaches within 4-5 blocks of the Fiserv Forum, and within a few hundred feet of the Baird Center. *See generally* DeSiato Decl. ¶ 14; ECF No. 27, Ex. 3; ECF No. 28, Ex. 5.

120. A second speaker's podium will be located at Zeidler park with amplified sound in the Park Pavilion. *See generally* DeSiato Decl. ¶ 14; ECF No. 27, Ex. 3; ECF No. 28, Ex. 5.
121. Zeidler park is bounded by Michigan Street on the north, MLK Drive on the east, Everett Street to the south, and Vel R. Phillips Avenue to the west. (DeSiato Decl. ¶ 14).
122. Zeidler Park is located one block south and one block east of the Baird Center.
123. The City will provide a microphone and speakers for assigned speaker's time slots at the gazebo at Zeidler. (DeSiato Decl. ¶ 14).
124. Pedestrians may assemble, demonstrate, and move freely within Zeidler (the "South Public Viewing Area"). (DeSiato Decl. ¶ 14).
125. The City emailed Plaintiff at 10:45 a.m. on Friday, June 21, 2024, confirming its registration for a parade slot and requesting Plaintiff indicate its preference between speaker's platforms by noon on June 26, 2024. (ECF No. 27, Ex. 3).
126. All applicants with requests pending at the time the City emailed Plaintiff on June 21, 2024, were provided with the same opportunity to indicate a preference between speaker's platform locations and to indicate if they were withdrawing their application for either a speaking or parade time slot.
127. The City Defendants advised applicants for official parade route and speaker's platform registrations that they would be advised of their assigned time slots between 5:00 p.m. on June 26 and July 1, 2024.

V. PLAINTIFF'S PLANS

127. Plaintiff plans to hold a protest parade at noon on Monday, July 15, 2024, with plans to stop along the parade route to deliver speeches via amplified sound equipment. (ECF No. 33 at 5, ¶ 18).
128. Persons attending the Convention, along with the persons seeing media coverage of the event, are the intended audience for the public protest which will be expressed in various ways by the seventy or more organizations and thousands of marchers who make up the Coalition. (Am. Complaint ¶ 40).

A. First Parade Application

129. On April 12, 2023, Adelana Akindes filed an online application for a special event permit for a demonstration “[b]eginning at Red Arrow Park, south along Water [Street] to Wisconsin [Avenue], west to North 4th Street, north to Wells Street, north to Red Arrow Park,” on behalf of the “Coalition to March on the RNC (the “First Application”). (ECF No. 28, Ex. 2 at 2; *see also* ECF No. 33 at 6, ¶ 21 and at 7, Ex. 1).
130. The application was filed pursuant to MCO § 105.55-5. (Am. Compl. ¶ 20).
131. Plaintiff estimated 500 participants and requested to start at 9 a.m. and the end at 9 p.m. (ECF No. 28, Ex. 2 at 2).
132. This application was denied on the date it was received. (Kruschke Decl. ¶ 8; *see also* ECF No. 33 at 7, ¶ 23). It was indicated that such applications cannot be accepted more than six months prior to the event date. (Kruschke Decl. ¶ 8, Ex. 2).

B. Second Parade Application

133. On September 21, 2023, city officials received an online application from “FirstName: Coalition to March on the RNC,” “LastName: Coalition to March on the RNC,” on behalf of “Coalition to March on the RNC.”
134. MCO 105-55.5(2)(b1) specifies that applications must include the “name, address, home and business telephone numbers” of the organization’s authorized representative “responsible for the conduct of the special event.” (ECF No. 28, Ex. 1).
135. This application was materially incomplete in that it did not provide required information about the organization’s registered agent, and was not processed. (Kruschke Decl. ¶ 9). A response to an applicant is automatically generated only when a completed application is processed. *See generally* Kruschke Decl. ¶¶ 7-10.
136. This application requested a special event permit for a march on “Juneau Ave from North water to 6th, water from state to Juneau, state from 6th to water st, and 6th from Juneau to state.” The applicant estimated 1,000 participants, and requested to start at 9 a.m. and end at 11 p.m. (ECF No. 28-3).

C. Third Parade Application

137. On January 18, 2024, Omar Flores filed an online application for a permit to demonstrate specifying the same route as the First Application on behalf of the “Coalition to March on the RNC.” (ECF No. 28, Ex. 4).
138. Plaintiff estimated 1,000 participants and requested to start at 10 a.m. and the end at 10 p.m. (ECF No. 28, Ex. 4).
139. The City responded with an automated email message: “Your Special Event Permit Application has been successfully submitted. If you have any questions,

please contact the Special Event Permit Office at (414) 286-3915.” (Kruschke Decl. ¶ 10).

140. Since February 2024, Assistant City Attorney Kathy Block has been in regular contact with Plaintiff’s counsel regarding their pending application and other issues related to parade routes and speaker’s platforms for the RNC, as well as prohibited items and the assignments of time slots. (Block Decl. ¶¶ 6-10).
141. On March 13, 2024, ACA Block forwarded a courtesy copy of the draft Special Event ordinance relative to the RNC subsequently adopted by the City Council on March 19, 2024. (Block Decl. ¶ 12).
142. The Coalition continued to announce in public events, to the press and in social media, that it would be marching in July 2024 at the RNC.

D. Fourth Parade Application

143. The day after the Special Event ordinance was passed, March 20, 2024, Plaintiff’s counsel contacted ACA Block to discuss applying for a block of speaker’s time-slots. (Block Decl. ¶ 14).
144. On March 28, 2024, ACA Block left a voicemail for Plaintiff’s counsel explaining that Plaintiff’s Third Application was “holding [its] ‘place in line’” but that the City expected Plaintiff to file an application for an official parade route under the Special Event ordinance. (Block Decl. ¶ 16).
145. On April 17, 2024, Plaintiff submitted an application for an official parade route through the City’s online registration portal. (Block Decl. ¶ 17; DeSiato Decl. ¶ 11; ECF No. 27, Ex. 1; *see also* ECF No. 33 at 12, ¶ 38).

146. The City acknowledged Plaintiff's application on April 24, 2024. (ECF No. 3, Ex. 4)
147. Plaintiff did not request use of the official speaker's platform. They requested use of the official parade route from 11 a.m. to 3 p.m. (DeSiato Decl. ¶ 11; ECF No. 27, Ex. 1).
148. Plaintiff's counsel also emailed ACA Block at 5:04 p.m. on April 17, 2024, raising objections to aspects of the registration process and reserving Plaintiff's rights to challenge aspects of the Special Event ordinance or its application. (Block Decl. ¶ 17; *see also* ECF No. 33 at 12, ¶ 39).
149. Plaintiff's counsel also objected to the manner for allocating speaker platform slots and reserved the right to hold rallies inside or outside of the security footprint.
150. ACA Block and Plaintiff's counsel met virtually on April 25, 2024, and discussed how to best secure consecutive time slots for use of the official speaker's podium, when they would know their applications were "accepted," when information about prohibited items would be released, when the official parade route and platform locations would be released, and other topics. (Block Decl. ¶¶ 18-19).
151. ACA Block and Plaintiff's counsel spoke again on May 3, 2024. Afterwards ACA Block forwarded requested information. (Block Decl. ¶ 20).
152. On May 30, 2024, Plaintiff's counsel sent a letter to Mayor Cavalier Johnson and the Commissioner of Public Works depicting its proposed parade route as well as proposed stopping points for speeches and demonstration, including Vel R.

Phillips Avenue at McKinley Avenue and MLK Drive at McKinley Avenue.

(Block Decl. ¶ 21; ECF No. 4, Ex. 8).

153. On June 5, 2024, Plaintiff's counsel and ACA Block conferenced again by phone.

Plaintiff filed its motion for preliminary injunction later the same day. (Block Decl. ¶ 22; *see also* ECF No. 2).

154. On June 25, 2024, Plaintiff issued a press release depicting its updated proposed parade route, and stating the following:

On Friday June 21st, the City of Milwaukee and the US Secret Service released their map of the hard and soft security zones, as well as where their vehicle checkpoints will be during the Republican National Convention. These zones are unjust, and reflect the City and Secret Service's determination to stonewall and shut down all forms of protest and dissent. We in the Coalition denounce these attempts and continue to plan to march within sight and sound of the RNC in July.

We have been submitting permits for a march for over a year, to no avail. Our original route heads directly into the heart of the hard zone, but we have made new plans. Our revised route will still put us within sight and sound of the front doors of the Fiserv Forum. It also still crosses the hard security zone on Kilbourn Avenue, where we will pass in front of Pere Marquette Park. This park was not originally supposed to be included in the hard zone, and was in fact slated to be the site of the City-run speakers' platform. We pushed back on this, as it is not within sight and sound. However, we are also pushing back on the inclusion of this park in the hard zone. It was included merely because of pressure from the Republicans on the City. It is only because of a last minute rental by the cowardly Republicans that this is being included in the hard zone, and we denounce the way the City continually bends to their will while stonewalling their own citizens. The Coalition and major endorsing organizations have a strong track record of keeping ourselves safe during protests, and we still look forward to a safe, family friendly march in July!

See <https://www.wispolitics.com/2024/coalition-to-march-on-the-rnc-updates-on-march-route/>

155. The City Defendants emailed staff@marchonrnc2024.org at 4:08 p.m. on July 1, 2024, confirming their registration for an Official Parade Route time-slot on Monday, July 15, 2024, starting at noon.

156. Plaintiff's originally proposed parade route crosses the secure perimeter at several points, making it impossible for the Coalition to parade along its originally proposed route. (ECF No. 3-1).
157. After release of the credentialed zone map by the Secret Service on June 21, 2024, the Coalition publicly announced an amended route for its march which does not require entry into any of the credentialed zone, with the exception of crossing the credentialed zone corridor at the intersection of Kilbourn and MLK. (Am. Compl. ¶ 53, Ex. 24; *See also* <https://www.wispolitics.com/2024/coalition-to-march-on-the-rnc-updates-on-march-route/>).
158. No applicants for an Official Parade Route or Official Speaker's Platform time slot were turned away.

Dated and signed at Milwaukee, Wisconsin this 2nd day of July, 2024.

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